IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 5TH JANUARY 2007 / 15TH POUSHA, 1928

Bail Appl..No. 7653 of 2006()
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CRMP.5535/2006 of J.M.F.C.,RANNI
CRIME NO.176/06 OF CHITTAR POLICE STATION.
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: PETITIONERS/ACCUSED NO.1 & 2
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1. SHINOI, S/O. PUSHKARAN, AGED 25 YEARS,
RESIDING AT KINATTINKARA HOUSE,
CHITHARA, KOLLAM.

2. VIJESH, AGED 21, S/O. SOMARAJAN,
PUTHENVEETTIL, PANYAR COLONY,
SEETHATHODE, CHITTAR.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS: COMPLAINANT
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STATE OF KERALA, REP. BY THE
SUB INSPECTOR OF POLICE, CHITTAR POLICE STATION,
CHITTAR, (CR. NO.176 OF 2006), REP. BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**BAIL APPLICATION NO. 7653 OF 2006**

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**DATED THIS THE 5th DAY OF JANUARY, 2007**

**O R D E R**

In this Petition filed under Sec.439 Cr.P.C. the petitioners who are accused 1 and 2 in Crime No.176/06 of Chittar Police Station for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 10 litres of arrack on 6.12.2006, seek their enlargement on bail. They were arrested on 6.12.2006.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Ranny and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn